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In the Supreme Court of the United States

OCTOBER TERM, 1962.

No. 411

JAMES S. O'CONNELL
and
FRANCIS L. HARNEY, JR.,
PETITIONERS,

v.

UNITED STATES OF AMERICA,
RESPONDENT.

PETITIONERS' REPLY TO THE BRIEF FOR THE UNITED STATES IN OPPOSITION

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Blanchard Printing Company, Boston, Mass. — Law Printers

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At pages 22 and 23 of the Government's Brief in Opposition, the Government deals with whether the contents of the Blatnik Committee report, marked Exhibit 32 for identification, had ever been adopted by the witness Walter M. Webb. The Government argues that Webb's testimony does not suggest that he had seen and adopted any report. In support of its argument, the Government has printed in footnote 4 on page 23 of its brief a single question and

answer which it maintains is the pertinent testimony in this regard. Petitioners wish to point out that the following questions and answers immediately preceded the question and answer printed in footnote 4 on page 23 of the Government's brief: (R. 196)

> "XQ. And as you talked, did the people who interviewed you make notes of what you were saying? A. Yes, sir.
>
> XQ. And in the second meeting that you had with the Blatnik Committee, sir, were there references to what you had said the first time? A. I would say so.
>
> XQ. And as they referred back to what you had said the first time, [247] did you adopt those statements that you had made as being correct, as they related them to you from the first conversation? A. Say that again."

Respectfully submitted,

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